

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GERNETTE COWELL,

Plaintiff,

-against-

TARGET,

Defendant.

Docket No.:

NOTICE OF REMOVAL

**TO THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

Defendant, Target Corporation (i/s/h as “Target”), for the removal of this action from the Supreme Court of the State of New York, County of Bronx, to the United States District Court for the Southern District of New York, respectfully shows this Honorable Court:

FIRST: Target is the defendant in a civil action brought against it in the Supreme Court of the State of New York, County of Bronx, entitled:

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX

GERNETTE COWELL,

Plaintiff,

-against-

TARGET,

Defendant.

Index No.: 807973/2021E

SECOND: A copy of the Summons and Verified Complaint in this action is annexed hereto as Exhibit “A.” A copy of Target’s Answer is annexed hereto as Exhibit “B.” These exhibits constitute all pleadings and orders served upon any party in this action.

THIRD: Plaintiff served Target with her Verified Bill of Particulars on September 24, 2021. As such, less than thirty (30) days have passed since receipt. A copy of Plaintiff's Verified Bill of Particulars is attached hereto at Exhibit "C."

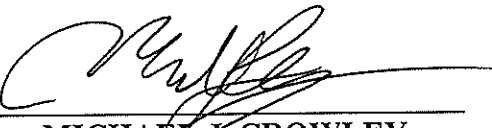
FOURTH: In her Verified Bill of Particulars, Plaintiff alleges that she sustained the following injuries as a result of the subject incident: (a) medial meniscus tear of the left knee, which required Plaintiff to undergo an arthroscopic debridement and synovectomy; and (b) L4/5 disc bulge, which required Plaintiff to undergo a Lumbar Interlaminar Epidural Steroid Injection. Exhibit C, at ¶ 9. In addition to the foregoing injuries, Plaintiff alleges that her physician expenses total an estimated "\$50,000 and continuing." Exhibit C, at ¶ 15. Accordingly, it is clear that the amount of controversy in this matter exceeds \$75,000.00 exclusive of interests and costs.

FIFTH: This action is one over which this Court has original jurisdiction under the provisions of Title 28, United States Code, Section 1332, and is one which may be removed to this Court by Defendant, Target, pursuant to the provisions of Title 28 United States Code, Section 1441, in that, it is a civil action brought in a Supreme Court against a foreign corporation whose principal place of business is outside of the State of New York, by a citizen of the State of New York, with the amount in controversy exceeding the sum or value of \$75,000.00, exclusive of interest and costs.

WHEREFORE, the defendant, Target, prays that the above action now pending against it in the Supreme Court of the State of New York, County of Bronx, be removed from there to this Court.

Dated: New York, New York
October 7, 2021

CONNELL FOLEY LLP

By: 

MICHAEL J. CROWLEY

SIERRA N. KRESIN

Attorneys for Defendant

TARGET CORPORATION

(i/s/h as "TARGET")

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